

INTRODUCTION

AMD presents the attached verdict form for the infringement phase of the case based on the jury questions currently at issue. The verdict form does not include questions on equitable and legal issues that AMD understands will be tried to the Court. The equitable issue of judicial estoppel may be tried before presentation of any evidence to the jury, as it is a case-dispositive issue.

Other issues may be tried to the Court after the jury trial, including damages. AMD requests the Court's guidance on the order of trial and the issues to be presented to the jury. AMD will submit a revised proposed verdict form in response to the Court's direction.

AMD will also submit a revised proposed verdict form if the Court's rulings limit the jury questions at issue.

We, the jury in the above entitled action, find the following special verdict on the following questions submitted to us:

U.S. PATENT NO. 6,650,327 (THE '327 PATENT)

I. INFRINGEMENT

Question No. 1: Has SGI proved, by a preponderance of the evidence, that a third party has infringed one or more claims of the '327 patent by direct infringement by making, using, selling, offering for sale in the United States, or importing into the United States, a computer system that includes an R3xx series product?

Yes_____ No_____

If you answered "No" to Question No. 1, skip Question No. 2 and proceed to Question No. 3.

Question No. 2: If the answer to Question No. 1 is "Yes," with respect to the R3xx series products, which claim(s) of the '327 patent has SGI proved, by a preponderance of the evidence, that a third party has infringed by direct infringement?

_____ Claim 2 _____ Claim 3

Question No. 3: Has SGI proved, by a preponderance of the evidence, that a third party has infringed one or more claims of the '327 patent by direct infringement by making, using, selling, offering for sale in the United States, or importing into the United States, a computer system that includes an R4xx series product?

Yes_____ No_____

If you answered "No" to Question No. 3, skip Question No. 4 and proceed to Question No. 5.

Question No. 4: If the answer to Question No. 3 is "Yes," with respect to the R4xx series products, which claim(s) of the '327 patent has SGI proved, by a preponderance of the evidence, that a third party has infringed by direct infringement?

_____ Claim 2 _____ Claim 3

Question No. 5: Has SGI proved, by a preponderance of the evidence, that a third party has infringed one or more claims of the '327 patent by direct infringement by making,

using, selling, offering for sale in the United States, or importing into the United States, a computer system that includes an R5xx series product?

Yes_____ No_____

If you answered “No” to Question No. 5, skip Question No. 6 and proceed to Question No. 7.

Question No. 6: If the answer to Question No. 5 is “Yes,” with respect to the R5xx series products, which claim(s) of the ’327 patent has SGI proved, by a preponderance of the evidence, that a third party has infringed by direct infringement?

_____ Claim 2 _____ Claim 3 _____ Claim 5 _____ Claim 6

Question No. 7: Has SGI proved, by a preponderance of the evidence, that a third party has infringed one or more claims of the ’327 patent by direct infringement by making, using, selling, offering for sale in the United States, or importing into the United States, a computer system that includes an R6xx series product?

Yes_____ No_____

If you answered “No” to Question No. 7, skip Question No. 8 and proceed to Question No. 9. If you answered “No” to all of Question Nos. 1, 3, 5, and 7, skip Questions 8 through 21.

Question No. 8: If the answer to Question No. 7 is “Yes,” with respect to the R6xx series products, which claim(s) of the ’327 patent has SGI proved, by a preponderance of the evidence, that a third party has infringed by direct infringement?

_____ Claim 2 _____ Claim 3 _____ Claim 4
_____ Claim 5 _____ Claim 6

Question No. 9: If the answer to any of Question Nos. 1, 3, 5, or 7 is “Yes,” identify, for each product, which claims of the ’327 patent a third party has infringed by direct infringement.

Product	Claims
All-in-Wonder 2006 Edition	
All-in-Wonder 2006 PCI Express	

Product	Claims
FireGL T2	
FireGL V3100	
FireGL V3200	
FireGL V3300	
FireGL V3350	
FireGL V3400	
FireGL V3600	
FireGL V5000	
FireGL V5100	
FireGL V5200	
FireGL V5300	
FireGL V5600	
FireGL V7100	
FireGL V7200	
FireGL V7200	
FireGL V7300	
FireGL V7350	
FireGL V7400	
FireGL V7600	
FireGL V7700	
FireGL V8600	
FireGL V8650	
FireGL X1	
FireGL X2-256	
FireGL X2-256T	
FireGL X3-256	
FireGL Z1	
FireMV 2260	
FirePro 3D V3700	
FireStream 9170	

Product	Claims
Integrated Mobility Radeon 3200	
Integrated Mobility Radeon 4100	
Integrated Mobility Radeon 4200	
Integrated Mobility Radeon 4225	
Integrated Mobility Radeon 4250	
Integrated Mobility Radeon 4270	
Integrated Mobility Radeon HD 3100	
Integrated Radeon 3000 Graphics (760G Chipset)	
Integrated Radeon 3100 Graphics (780V Chipset)	
Integrated Radeon HD 3200 Graphics (780G Chipset)	
Integrated Radeon HD 3300 Graphics (790GX Chipset)	
Integrated Radeon HD 4200 Graphics (785G Chipset)	
Integrated Radeon HD 4250 Graphics (880G Chipset)	
Integrated Radeon HD 4290 Graphics (890GX Chipset)	
Mobility FireGL T2	
Mobility FireGL T2e	
Mobility FireGL V3100	

Product	Claims
Mobility FireGL V3200	
Mobility FireGL V5000	
Mobility FireGL V5100	
Mobility FireGL V5200	
Mobility FireGL V5250	
Mobility FireGL V5600	
Mobility FireGL V5700	
Mobility FireGL V5725	
Mobility FireGL V7100	
Mobility FireGL V7200	
Mobility Radeon 9500	
Mobility Radeon 9550	
Mobility Radeon 9600	
Mobility Radeon 9700	
Mobility Radeon 9800	
Mobility Radeon HD 2300	
Mobility Radeon HD 2400	
Mobility Radeon HD 2400 XT	
Mobility Radeon HD 2600	
Mobility Radeon HD 2600 XT	
Mobility Radeon HD 2700	
Mobility Radeon HD 3410	
Mobility Radeon HD 3430	
Mobility Radeon HD 3450	

Product	Claims
Mobility Radeon HD 3470	
Mobility Radeon HD 3650	
Mobility Radeon HD 3670	
Mobility Radeon HD 3850	
Mobility Radeon HD 3850 X2	
Mobility Radeon HD 3870	
Mobility Radeon HD 3870 X2	
Mobility Radeon X1300	
Mobility Radeon X1350	
Mobility Radeon X1400	
Mobility Radeon X1450	
Mobility Radeon X1600	
Mobility Radeon X1700	
Mobility Radeon X1800	
Mobility Radeon X1900	
Mobility Radeon X300	
Mobility Radeon X600	
Mobility Radeon X700	
Mobility Radeon X800	
Radeon 9500	
Radeon 9550	
Radeon 9600	
Radeon 9700	
Radeon 9800	
Radeon HD 2350	
Radeon HD 2400 Pro	

Product	Claims
Radeon HD 2400 XT	
Radeon HD 2600 Pro	
Radeon HD 2600 XT	
Radeon HD 2900 GT	
Radeon HD 2900 Pro	
Radeon HD 2900 XT	
Radeon HD 3430	
Radeon HD 3450	
Radeon HD 3470	
Radeon HD 3650	
Radeon HD 3690	
Radeon HD 3830	
Radeon HD 3850	
Radeon HD 3850 X2	
Radeon HD 3870	
Radeon HD 3870 X2	
Radeon X1300	
Radeon X1600	
Radeon X1800	
Radeon X1900	
Radeon X1950	
Radeon X300	
Radeon X550	
Radeon X600	
Radeon X700	
Radeon X800	
Radeon X850	
Radeon Xpress 1100	
Radeon Xpress 200	

Question No. 10: Has SGI proved, by a preponderance of the evidence, that there are no substantial non-infringing uses for the R3xx series products with respect to any of the claims of the '327 patent?

Yes_____ No_____

If you answered "No" to Question No. 10, skip Question No. 11 and proceed to Question No. 12.

Question No. 11: If your answer to Question No. 10 is "Yes," for which claim(s) of the '327 patent has SGI proved, by a preponderance of the evidence, the absence of substantial non-infringing uses for the R3xx series products?

_____ Claim 2 _____ Claim 3

Question No. 12: Has SGI proved, by a preponderance of the evidence, that there are no substantial non-infringing uses for the R4xx series products with respect to any of the claims of the '327 patent?

Yes_____ No_____

If you answered "No" to Question No. 12, skip Question No. 13 and proceed to Question No. 14.

Question No. 13: If your answer to Question No. 12 is "Yes," for which claim(s) of the '327 patent has SGI proved, by a preponderance of the evidence, the absence of substantial non-infringing uses for the R4xx series products?

_____ Claim 2 _____ Claim 3

Question No. 14: Has SGI proved, by a preponderance of the evidence, that there are no substantial non-infringing uses for the R5xx series products with respect to any of the claims of the '327 patent?

Yes_____ No_____

If you answered "No" to Question No. 14, skip Question No. 15 and proceed to Question No. 16.

Question No. 15: If your answer to Question No. 14 is "Yes," for which claim(s) of the '327 patent has SGI proved, by a preponderance of the evidence, the absence of substantial non-infringing uses for the R5xx series products?

_____ Claim 2 _____ Claim 3 _____ Claim 5 _____ Claim 6

Question No. 16: Has SGI proved, by a preponderance of the evidence, that there are no substantial non-infringing uses for the R6xx series products with respect to any of the claims of the '327 patent?

Yes_____ No_____

If you answered "No" to Question No. 16, skip Question No. 17 and proceed to Question No. 18.

Question No. 17: If your answer to Question No. 16 is "Yes," for which claim(s) of the '327 patent has SGI proved, by a preponderance of the evidence, the absence of substantial non-infringing uses for the R6xx series products?

_____ Claim 2 _____ Claim 3 _____ Claim 4
_____ Claim 5 _____ Claim 6

If you answered "No" to all of Question Nos. 10, 12, 14, and 16, skip Questions 18 and 19 and proceed to Question 20.

Question No. 18: Has SGI proved, by a preponderance of the evidence, that AMD/ATI has infringed one or more claims of the '327 patent by contributory infringement?

Yes_____ No_____

If you answered "No" to Question No. 18, skip Question No. 19 and proceed to Question No. 20.

Question No. 19: If the answer to Question No. 18 is "Yes," identify, for each product, which claims of the '327 patent AMD/ATI has infringed by contributory infringement.

Product	Claims
All-in-Wonder 2006 Edition	
All-in-Wonder 2006 PCI Express	
FireGL T2	
FireGL V3100	
FireGL V3200	

Product	Claims
FireGL V3300	
FireGL V3350	
FireGL V3400	
FireGL V3600	
FireGL V5000	
FireGL V5100	
FireGL V5200	
FireGL V5300	
FireGL V5600	
FireGL V7100	
FireGL V7200	
FireGL V7200	
FireGL V7300	
FireGL V7350	
FireGL V7400	
FireGL V7600	
FireGL V7700	
FireGL V8600	
FireGL V8650	
FireGL X1	
FireGL X2-256	
FireGL X2-256T	
FireGL X3-256	
FireGL Z1	
FireMV 2260	
FirePro 3D V3700	
FireStream 9170	
Integrated Mobility Radeon 3200	
Integrated Mobility Radeon 4100	

Product	Claims
Integrated Mobility Radeon 4200	
Integrated Mobility Radeon 4225	
Integrated Mobility Radeon 4250	
Integrated Mobility Radeon 4270	
Integrated Mobility Radeon HD 3100	
Integrated Radeon 3000 Graphics (760G Chipset)	
Integrated Radeon 3100 Graphics (780V Chipset)	
Integrated Radeon HD 3200 Graphics (780G Chipset)	
Integrated Radeon HD 3300 Graphics (790GX Chipset)	
Integrated Radeon HD 4200 Graphics (785G Chipset)	
Integrated Radeon HD 4250 Graphics (880G Chipset)	
Integrated Radeon HD 4290 Graphics (890GX Chipset)	
Mobility FireGL T2	
Mobility FireGL T2e	
Mobility FireGL V3100	
Mobility FireGL V3200	
Mobility FireGL V5000	
Mobility FireGL V5100	
Mobility FireGL V5200	

Product	Claims
Mobility FireGL V5250	
Mobility FireGL V5600	
Mobility FireGL V5700	
Mobility FireGL V5725	
Mobility FireGL V7100	
Mobility FireGL V7200	
Mobility Radeon 9500	
Mobility Radeon 9550	
Mobility Radeon 9600	
Mobility Radeon 9700	
Mobility Radeon 9800	
Mobility Radeon HD 2300	
Mobility Radeon HD 2400	
Mobility Radeon HD 2400 XT	
Mobility Radeon HD 2600	
Mobility Radeon HD 2600 XT	
Mobility Radeon HD 2700	
Mobility Radeon HD 3410	
Mobility Radeon HD 3430	
Mobility Radeon HD 3450	
Mobility Radeon HD 3470	
Mobility Radeon HD 3650	

Product	Claims
Mobility Radeon HD 3670	
Mobility Radeon HD 3850	
Mobility Radeon HD 3850 X2	
Mobility Radeon HD 3870	
Mobility Radeon HD 3870 X2	
Mobility Radeon X1300	
Mobility Radeon X1350	
Mobility Radeon X1400	
Mobility Radeon X1450	
Mobility Radeon X1600	
Mobility Radeon X1700	
Mobility Radeon X1800	
Mobility Radeon X1900	
Mobility Radeon X300	
Mobility Radeon X600	
Mobility Radeon X700	
Mobility Radeon X800	
Radeon 9500	
Radeon 9550	
Radeon 9600	
Radeon 9700	
Radeon 9800	
Radeon HD 2350	
Radeon HD 2400 Pro	
Radeon HD 2400 XT	
Radeon HD 2600 Pro	
Radeon HD 2600 XT	

Product	Claims
Radeon HD 2900 GT	
Radeon HD 2900 Pro	
Radeon HD 2900 XT	
Radeon HD 3430	
Radeon HD 3450	
Radeon HD 3470	
Radeon HD 3650	
Radeon HD 3690	
Radeon HD 3830	
Radeon HD 3850	
Radeon HD 3850 X2	
Radeon HD 3870	
Radeon HD 3870 X2	
Radeon X1300	
Radeon X1600	
Radeon X1800	
Radeon X1900	
Radeon X1950	
Radeon X300	
Radeon X550	
Radeon X600	
Radeon X700	
Radeon X800	
Radeon X850	
Radeon Xpress 1100	
Radeon Xpress 200	

Question No. 20: Has SGI proved, by a preponderance of the evidence, that AMD/ATI has infringed one or more claims of the '327 patent by inducement?

Yes_____ No_____

If you answered “No” to Question No. 20, skip Question No. 21.

Question No. 21: If the answer to Question No. 20 is “Yes,” identify, for each product, which claims of the ’327 patent AMD/ATI has infringed by inducement.

Product	Claims
All-in-Wonder 2006 Edition	
All-in-Wonder 2006 PCI Express	
FireGL T2	
FireGL V3100	
FireGL V3200	
FireGL V3300	
FireGL V3350	
FireGL V3400	
FireGL V3600	
FireGL V5000	
FireGL V5100	
FireGL V5200	
FireGL V5300	
FireGL V5600	
FireGL V7100	
FireGL V7200	
FireGL V7200	
FireGL V7300	
FireGL V7350	
FireGL V7400	
FireGL V7600	
FireGL V7700	
FireGL V8600	
FireGL V8650	
FireGL X1	

Product	Claims
FireGL X2-256	
FireGL X2-256T	
FireGL X3-256	
FireGL Z1	
FireMV 2260	
FirePro 3D V3700	
FireStream 9170	
Integrated Mobility Radeon 3200	
Integrated Mobility Radeon 4100	
Integrated Mobility Radeon 4200	
Integrated Mobility Radeon 4225	
Integrated Mobility Radeon 4250	
Integrated Mobility Radeon 4270	
Integrated Mobility Radeon HD 3100	
Integrated Radeon 3000 Graphics (760G Chipset)	
Integrated Radeon 3100 Graphics (780V Chipset)	
Integrated Radeon HD 3200 Graphics (780G Chipset)	
Integrated Radeon HD 3300 Graphics (790GX Chipset)	
Integrated Radeon HD 4200 Graphics (785G Chipset)	

Product	Claims
Integrated Radeon HD 4250 Graphics (880G Chipset)	
Integrated Radeon HD 4290 Graphics (890GX Chipset)	
Mobility FireGL T2	
Mobility FireGL T2e	
Mobility FireGL V3100	
Mobility FireGL V3200	
Mobility FireGL V5000	
Mobility FireGL V5100	
Mobility FireGL V5200	
Mobility FireGL V5250	
Mobility FireGL V5600	
Mobility FireGL V5700	
Mobility FireGL V5725	
Mobility FireGL V7100	
Mobility FireGL V7200	
Mobility Radeon 9500	
Mobility Radeon 9550	
Mobility Radeon 9600	
Mobility Radeon 9700	
Mobility Radeon 9800	
Mobility Radeon HD 2300	
Mobility Radeon HD 2400	
Mobility Radeon HD 2400 XT	
Mobility Radeon HD 2600	

Product	Claims
Mobility Radeon HD 2600 XT	
Mobility Radeon HD 2700	
Mobility Radeon HD 3410	
Mobility Radeon HD 3430	
Mobility Radeon HD 3450	
Mobility Radeon HD 3470	
Mobility Radeon HD 3650	
Mobility Radeon HD 3670	
Mobility Radeon HD 3850	
Mobility Radeon HD 3850 X2	
Mobility Radeon HD 3870	
Mobility Radeon HD 3870 X2	
Mobility Radeon X1300	
Mobility Radeon X1350	
Mobility Radeon X1400	
Mobility Radeon X1450	
Mobility Radeon X1600	
Mobility Radeon X1700	
Mobility Radeon X1800	
Mobility Radeon X1900	
Mobility Radeon X300	
Mobility Radeon X600	

Product	Claims
Mobility Radeon X700	
Mobility Radeon X800	
Radeon 9500	
Radeon 9550	
Radeon 9600	
Radeon 9700	
Radeon 9800	
Radeon HD 2350	
Radeon HD 2400 Pro	
Radeon HD 2400 XT	
Radeon HD 2600 Pro	
Radeon HD 2600 XT	
Radeon HD 2900 GT	
Radeon HD 2900 Pro	
Radeon HD 2900 XT	
Radeon HD 3430	
Radeon HD 3450	
Radeon HD 3470	
Radeon HD 3650	
Radeon HD 3690	
Radeon HD 3830	
Radeon HD 3850	
Radeon HD 3850 X2	
Radeon HD 3870	
Radeon HD 3870 X2	
Radeon X1300	
Radeon X1600	
Radeon X1800	
Radeon X1900	
Radeon X1950	

Product	Claims
Radeon X300	
Radeon X550	
Radeon X600	
Radeon X700	
Radeon X800	
Radeon X850	
Radeon Xpress 1100	
Radeon Xpress 200	

Presiding Juror:_____

Date:_____

INTRODUCTION

AMD presents the attached verdict form for the invalidity phase of the case based on the jury questions currently at issue. Other issues may be tried to the Court after the jury trial, including damages. AMD requests the Court's guidance on the order of trial and the issues to be presented to the jury. AMD will submit a revised proposed verdict form in response to the Court's direction.

AMD will also submit a revised proposed verdict form if the Court's rulings limit the jury questions at issue.

We, the jury in the above entitled action, find the following special verdict on the following questions submitted to us:

U.S. PATENT NO. 6,650,327 (THE '327 PATENT)

II. AFFIRMATIVE DEFENSE OF INVALIDITY

A. Anticipation

Question No. 1: Has AMD/ATI proved by clear and convincing evidence that one or more asserted claims of the '327 patent are anticipated by the Einkauf '983 patent?

[A "Yes" answer is in favor of AMD/ATI, a "No" answer is in favor of SGI]

Yes_____ No_____

If you answered "No" to Question No. 1, skip question No. 2 and proceed to Question No. 3.

Question No. 2: If the answer to Question No. 1 is "Yes," which claim(s) of the '327 patent are anticipated by the Einkauf '983 patent?

_____ Claim 5 _____ Claim 6

Question No. 3: Has AMD/ATI proved by clear and convincing evidence that one or more asserted claims of the '327 patent are anticipated by the Doré reference?

[A "Yes" answer is in favor of AMD/ATI, a "No" answer is in favor of SGI]

Yes_____ No_____

If you answered "No" to Question No. 3, skip question No. 4 and proceed to Question No. 5.

Question No. 4: If the answer to Question No. 3 is "Yes," which claim(s) of the '327 patent are anticipated by the Doré reference?

_____ Claim 5 _____ Claim 6

B. Obviousness

Question No. 5: Has AMD/ATI proved by clear and convincing evidence that the asserted claims of the '327 patent would have been obvious to a person of ordinary skill at the time of invention?

[A "Yes" answer is in favor of AMD/ATI, a "No" answer is in favor of SGI]

Yes_____ No_____

If you answered "No" to Question No. 5, skip Question No. 6 and proceed to Question No. 7.

Question No. 6: If the answer to Question No. 5 is "Yes," which claims of the '327 patent, if any, are obvious?

_____ Claim 2 _____ Claim 3 _____ Claim 4
_____ Claim 5 _____ Claim 6 _____ No claims

C. Lack of Enablement

Question No. 7: Has AMD/ATI proved by clear and convincing evidence that the '327 patent does not contain a sufficiently detailed description of the claimed inventions to enable one of ordinary skill in the art to make and use the full scope of the claimed inventions?

[A "Yes" answer is in favor of AMD/ATI, a "No" answer is in favor of SGI]

Yes_____ No_____

If you answered "No" to Question No. 7, skip Question No. 8 and proceed to Question No. 9.

Question No. 8: If the answer to Question No. 7 is "Yes," which claims of the '327 patent do not contain a sufficiently detailed description of the claimed invention to enable one of ordinary skill in the art to make and use the full scope of the claimed invention?

_____ Claim 2 _____ Claim 3 _____ Claim 4
_____ Claim 5 _____ Claim 6

II. IMPLIED LICENSE

Question No. 9: Has AMD/ATI proved by a preponderance of the evidence that SGI's claims on the '327 patent are barred by implied license?

[A "Yes" answer is in favor of AMD/ATI, a "No" answer is in favor of SGI]

Yes_____ No_____

III. MICROSOFT LICENSE

Question No. 10: Has AMD/ATI proved by a preponderance of the evidence that SGI's claims on the '327 patent are barred by the SGI Microsoft Confidential Patent Agreement dated September 28, 2001?

[A "Yes" answer is in favor of AMD/ATI, a "No" answer is in favor of SGI]

Yes_____ No_____

Presiding Juror:_____ **Date:**_____

INTRODUCTION

AMD presents the attached verdict form for the damages phase of the case based on the jury questions currently at issue. AMD will submit a revised proposed verdict form if the Court's rulings limit the jury questions at issue.

We, the jury in the above entitled action, find the following special verdict on the following questions submitted to us:

U.S. PATENT NO. 6,650,327 (THE '327 PATENT)

III. DAMAGES

Question No. 1: Did SGI provide actual notice of infringement of the '327 patent by AMD/ATI?

Yes_____ No_____

Question No. 2: When did the damages suffered by SGI begin to accrue? Your answer should take the form of a specific date.

Answer: _____

Question No. 3: What is the total revenue base of AMD/ATI sales upon which you find SGI's damages are calculated? Your answer should take the form of a specific dollar (\$) amount for each product family and should include the total revenue base. If you did not find infringement for one or more product families, you should leave the space next to that product family blank.

R3xx: _____

R4xx: _____

R5xx: _____

R6xx: _____

Total: _____

Question No. 4: What is the royalty rate that applies to the revenue base that you identified in response to Question No. 3? Your answer should take the form of a specific percentage.


Answer: _____

Presiding Juror: _____

Date: _____

Dated: April 13, 2011

ROBINS, KAPLAN, MILLER & CIRESI L.L.P.

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